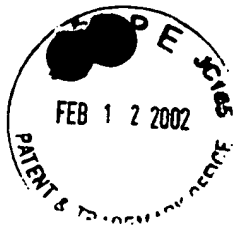


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PATENT

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PLWZ

2-26-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jacobi et al.  
Appl. No. : 09/850,263  
Filed : May 7, 2001  
For : Personalized Recommendations  
of Items Represented Within a  
Database  
Examiner : Champagne

Group Art Unit 2162

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Technology Center 2100

AMENDMENT AND RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed on January 2, 2002, please reconsider the above-referenced application in view of the following amendment and remarks:

Please rewrite Claim 42 as follows:

9

A1 / 42. (Amended) The method of Claim 41, wherein providing recommendations to the target user further comprises incorporating the additional items into a shopping cart page which indicates contents of the electronic shopping cart.

REMARKS

The foregoing amendment corrects a typographical error discovered in Claim 42, as shown in redline form on the attached page.

In the Office Action dated January 2, 2002, the Examiner rejected the pending claims under the doctrine of obviousness-type double patenting as being unpatentable over U.S. Patents 6,266,649 and 6,317,722 (the "prior patents").

Appl. No. : 09/850,263  
Filed : May 7, 2001

As a preliminary matter, Applicants respectfully submit that the Examiner has mischaracterized the pending independent claims by stating or suggesting that each such claim is a "rewording and rearrangement" of an issued claim of a prior patent. The pending independent claims differ in scope from the issued claims in a number of respects, and the differences identified by the Examiner are merely examples of the numerous differences that exist. As such, the pending independent claims cannot accurately be characterized as "rewordings and rearrangements" of the issued claims.

Applicants also respectfully disagree with the Examiner's assertion that it was "common," at the time of the invention, to provide targeted product recommendations to users based on their purchase histories.

In response to the obviousness-type double patenting rejection, submitted herewith are two Terminal Disclaimers – one for each of the prior patents. By submitting these Terminal Disclaimers, Applicants submit that they have overcome the obviousness-type double patenting rejection.

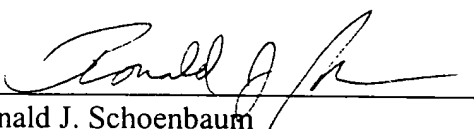
If any issues remain that can potentially be resolved by telephone, the Examiner is invited to call the undersigned attorney of record at 949-721-2950.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1-18-02

By:

  
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Appl. No. : 09/850,263  
Filed : May 7, 2001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 42 has been revised as follows:

42. (Amended) The method of Claim 41, wherein providing recommendations to the target user further [**comprising**] comprises incorporating the additional items into a shopping cart page which indicates contents of the electronic shopping cart.

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